IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 8926 of 2005

Between:

Sk. Jani Mlya, S/o. Lal Saheb, Driver, E.No.66233, APSRTC
Bhadrachalam Depot, Khammam District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Khammam Region, Khammam.
2 The Depot Manager, APSRTC, Bhadrachalam, Khammam District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction particularly in the nature of Writ of Mandamus declaring the action of respondents in not giving 12 years special grade stagnation increments to Petitioner with effect from completion of 12 years service is illegal, arbitrary, and contrary to the circular and judgments of this Hon'ble Court and consequently direct the respondents to release 12 Years special grade staganation increments of the Petitioners from the date of completion of 12 years of service with arrears and with all consequential benefits and pass such orders as it may deem fit and just.

Counsel for the Petitioner:MR.K.VENKATESWARLU

Counsel for the Respondent Nos.1 and 2: SMT.P.RAJANI REDDY

The Court at the admission stage made the following O R D E R:

This writ petition is filed questioning the action of the respondents in not granting Special Grade/Stagnation Increments to the petitioners from the completion of 12 years service.

Learned counsel for the petitioners contended that the total service rendered by the petitioners in the Corporation has to be taken into consideration for granting Special Grade/Stagnation Increments.

Learned counsel for the respondent-Corporation contended that as the petitioners have not completed twelve years of service in one region, they are not entitled for grant of twelve years increment.

The purport of the decision reported by this Court in W.A.No.1301 of 2000 dated 29.10.2002, is that the entire service of the petitioner in the Corporation has to be taken into consideration for the purpose of giving the benefit of stagnation increments. Following the above judgment, the total service of the petitioners has to be taken into consideration for granting Special Grade/Stagnation Increments.

Accordingly, the writ petition is disposed of directing the respondents to give twelve years Stagnation Increment to the petitioner, if he acquired 12 years of service in any category irrespective of region or depot, within a period of two months from the date of receipt of a copy of this order. No order as to costs.

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(K.C.BHANU,J)

Dt:21st April, 2005

Note:CC by Monday

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usd

To

1 The Regional Manager, APSRTC, Khammam Region, Khammam.
2 The Depot Manager, APSRTC, Bhadrachalam, Khammam District.

3 2 CD copies

4 1 CC to MR.VENKATESWARLU

*Form-NIC-OGS/WP{**SPJS**}*